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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
ICT 141

In re Application of: Puskas

Application No.: 09/980,421

Filed: April 23, 2002

For: Devices and Methods for Vagus Nerve Stimulation

02/04/2008 PCHOMP 00000043 09980421

01 FC:2814

65.00 IP

The owner, Emory University, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7,072,720 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Collen A. Beard  
Signature

February 4, 2008  
Date

Collen A. Beard  
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